

**The Honorable Barbara J. Rothstein**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ABDUL MANSOUR and JULIA MANSOUR,  
husband and wife,

Plaintiffs,

vs.

BRITISH AIRWAYS, PLC, a Foreign  
Corporation; HUNTLEIGH USA, Corporation,

Defendants.

No. 2:18-cv-01757-BJR

**STIPULATION AND ORDER TO  
CONTINUE PRETRIAL DEADLINES**

**WITHOUT ORAL ARGUMENT**

**I. RELIEF REQUESTED**

Defendants British Airways, PLC and Huntleigh USA Corporation and Plaintiffs  
Abdul Mansour and Julia Mansour, hereby stipulate and move the Court for an order  
extending the pretrial deadlines as good cause exists as set forth below.

**II. FACTS**

This is a personal injury case against British Airways, PLC and Huntleigh USA  
brought by Plaintiff, Abdul Mansour, a disabled passenger who was injured in a fall while  
being unsuccessfully lifted aboard British Air Flight 0048 at SeaTac airport on January 10,  
2018. (Dkt. #1 ¶3.5). Mr. Mansour was to be assisted onto the aircraft and to his seat by  
two employees of Huntleigh USA, with whom British Airways had contracted to provide

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PRETRIAL DEADLINES - 1 [2:18-cv-01757-BJR]**

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1 such services to disabled passengers. (*Id.*) The plaintiffs filed their complaint for damages  
2 on December 7, 2018. (Dkt. #1). Defendant British Airways, PLC answered on March 5,  
3 2019. (Dkt. # 20). Defendant Huntleigh USA answered on March 28, 2019. (Dkt.# 25).  
4 All parties in this case have diligently worked to complete discovery and counsel for all  
5 parties have fostered and shared an amicable working relationship that has served to  
6 facilitate discussions during the course of this lawsuit. The parties agree that the interests  
7 of justice would be furthered by additional discovery, including deposition testimony. The  
8 extra time for discovery and expert opinions will facilitate discussions regarding settling.  
9

10 Despite counsel's diligent efforts, key discovery still remains to be completed. Namely,  
11 Defendants need to have their expert perform an Independent Medical Exam. However,  
12 despite all parties' efforts to schedule the IME in a timely manner, the first date that the  
13 IME could be scheduled was November 18, 2019. (Declaration of Mark Northcraft,  
14 hereafter "Northcraft Decl." ¶1). Plaintiff has been travelling outside of the country,  
15 making it impossible to schedule the IME prior to mid-November. (*Id.*) Defendants'  
16 experts require the results from this IME to form their opinions and write their reports.  
17 Expert reports are currently due on October 31, 2019. (Dkt. #26).  
18

19 Further, Plaintiff desires to attend the depositions of Lenny Tala and Abdinasir Fahiye,  
20 the workers who were involved in the accident. (Northcraft Decl. ¶2). Therefore, the  
21 parties have not been able to schedule those depositions either, as Plaintiff is still out of the  
22 country. (*Id.*)  
23  
24

### 25 III. STATE OF ISSUE

26 Whether this Court should continue the pretrial deadlines as there is good cause to do  
27 so?  
28

1 IV. EVIDENCE RELIED UPON

- 2 1. The Declaration of Mark S. Northcraft;  
3 2. The files and documents herein.

4 V. AUTHORITY

5 Under the federal rules of civil procedure “[a] schedule may be modified only for good  
6 cause and with the judge's consent.” FRCP 16(b)(4). There is good cause to continue the  
7 pretrial deadlines here. Despite all parties’ efforts, discovery is not yet complete.  
8 Defendants’ experts require the results from the IME to fully form their opinions and write  
9 their reports. (Northcraft Decl. ¶1). More, key witnesses Lenny Tala and Abdinasir Fahiye  
10 have yet to be deposed and these witnesses will not be deposed until after November 14,  
11 2019 so that Plaintiff will be available to attend the depositions as well. (Northcraft Decl.  
12 ¶2). In order to, facilitate further discovery of relevant facts in the lawsuit, and facilitate  
13 settlement negotiations, the parties agree the pretrial deadlines in this matter be continued  
14 by ninety days.  
15  
16

17 VI. CONCLUSION

18 For the foregoing reasons, all parties request this Court continue all pretrial deadlines  
19 by ninety days.  
20

21 DATED this 30<sup>th</sup> day of October, 2019:


22 /s/ Mark S. Northcraft  
23 Mark S. Northcraft, WSBA #7888  
24 Northcraft Bigby PC  
25 819 Virginia Street, Suite C-2  
26 Seattle, WA 98101  
27 Telephone: (206) 623-0229  
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Attorney for Defendants

1 Pursuant to a stipulation between the parties and good cause having been found,  
2 IT IS HEREBY ORDERED that:  
3

4  
5 1. All pretrial deadlines in this matter are to be continued ninety days. The  
6 clerk shall issue a new minute order setting forth the new deadlines in this matter pursuant  
7 to FRCP 16(b).

8 IT IS SO ORDERED.

9 DATED this 31<sup>st</sup> day of October, 2019.

10   
11 BARBARA J. ROTHSTEIN  
12 United States District Judge

13 **PRESENTED BY:**

14 *E-Signature Authorized*

15 /s/ Franklin L. Smith  
16 Franklin L. Smith, WSBA #14527  
17 Attorney for Plaintiffs  
18 Law Offices of Franklin L. Smith  
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23 *Attorney for Plaintiffs*

24 /s/ Mark S. Northcraft  
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**STIPULATION AND ORDER TO CONTINUE  
PRETRIAL DEADLINES - 4 [2:18-cv-01757-BJR]**

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on October 30, 2019, I electronically filed the foregoing with  
3 the Clerk of the Court using the CM/ECF system which will send notification of such  
4 filing to the following:  
5

6 Franklin L. Smith  
7 Attorney for Plaintiffs  
8 Law Offices of Franklin L. Smith  
9 2025 1st Avenue, Suite 1200  
10 Seattle, WA 98121  
11 [frank@flyonsmith.com](mailto:frank@flyonsmith.com)  
12 *Attorney for Plaintiffs*

13 SIGNED in Seattle, Washington on October 30, 2019.

14 /s/ Nichole A. Edwards  
15 Nichole A. Edwards  
16 [nikki\\_edwards@northcraft.com](mailto:nikki_edwards@northcraft.com)  
17 Legal Assistant to Mark S. Northcraft  
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